

A regular meeting of the Board of Selectmen was held on Monday, May 2, 2011, at 7:00 p.m., at the Mini Town Meeting, Dedham Middle School, Whiting Avenue, Dedham, Massachusetts. Present were:

James A. MacDonald
Carmen Dellolacono
Michael L. Butler
Sarah E. MacDonald
Paul A. Reynolds

Mr. MacDonald called the meeting to order at 7:05 p.m.

CONTINUATION OF PUBLIC HEARING- CENTRE MARKET, INC., 545 HIGH STREET, DEDHAM, MASSACHUSETTS, RE: REQUEST FOR AN ALL ALCOHOLIC RESTAURANT LICENSE

Prior to discussion, Mr. MacDonald stepped down as Chairman and Mr. Dellolacono took on the duties as Chairman. Mr. MacDonald recused himself from the hearing relative to the above-referenced matter. Mr. MacDonald did not participate in the discussion. Mr. MacDonald did not vote on this matter.

Representing Centre Market, Inc., were: Ernie Caruso and Matt Cawley. Also present was Thomas Polito, Dedham Business Owner/Resident.

Mr. Dellolacono informed all that the Board of Selectmen received a letter from an abutter of Centre Market, Michael Columbo, and that the letter was submitted prior to their last meeting held on April 28, 2011. In the letter, Mr. Columbo's listed potential violations relative to the Center Market. Mr. Dellolacono went on to say that the Board looked into the alleged violations. Mr. Dellolacono submitted the following in response to the allegations:

--Letter (e-mail) to Nancy Baker, Assistant Town Administrator, from Mr. Thomas Polito, dated April 29, 2011, explaining his relationship with the Caruso Family/Centre Deli. For the record, Mr. Dellolacono read the following letter (e-mail) to the audience.

"Dear Nancy, In response to an inquiry from your office on behalf of the Board of Selectmen, I am writing to inform you that I do not now, nor have I ever held a financial interest in Centre Market, Inc., 545 High Street, Dedham, Massachusetts, 02026. Furthermore, I wish to clarify that I have never loaned, or provided financial support to Centre Market, Inc., for purposes of renovations or any other related business matter. Finally, I wish to state that I am in no way related, by marriage or otherwise, to any member of the Caruso Family. Signed by Thomas Polito" (Mr. Polito's letter is on file in the Town Administrator's Office.)

Mr. Dellolacono asked Mr. Polito if he would like to make a statement. Mr. Polito stated that his secretary, who is employed at Polito Insurance, is a member of the Caruso Family. He went on to say that Mr. Columbo's remarks were totally false. Mr. Polito stated that he gave no money to Centre Market except for the payment of his lunch.

For the record, Mr. Dellolacono submitted a letter from Sgt. Michael Buckley, Dedham Police Department, dated April 29, 2011, which stated the following:

"On Friday, April 29, 2011, I was asked to provide, in writing, any violation of the Town of Dedham Liquor Rules involving Centre Deli. A check of the Dedham Police records shows no violations of the Town of

Dedham Rules. Signed by Sgt, Michael Buckley, Alcohol Officer.” (Sgt. Buckley’s letter is on file in the Town Administrator’s Office.)

For the record, Mr. Dellolacono submitted a letter (e-mail) from Ken Cimeno, Town of Dedham Building Commissioner, dated May 2, 2011, which stated the following:

“I met with one of the owners of the Centre Deli and discussed the letter from Michael Columbo regarding the conditions he was complaining about to the Dedham Building Department. The complaints/responses are as follows:

--The Bathroom Window Exhaust vented on property line. **Action Taken:** The Bathroom exhaust will be relocated and re-vented to exhaust a minimum of ten feet from the property line.

--Heat Exchanger Vents vented on property line. **Action Taken:** The intake and exhaust ports for this HVAC Unit will be relocated a minimum of ten feet from the property line.

--Makeshift Vent Exhaust not vented through roof. **Action Taken:** The fan installed at this louver will be removed immediately and the louver will function as a fresh air louver with no mechanical ventilation.

--Mechanical Exhaust Vents and Motors still sit within five feet of sidewall. **Action Taken:** These vents and motors have been abandoned and create no hazard; therefore, no action is needed. There is no excessive noise observed by the exhaust fans currently operating on the roof.

--Air Conditioner Electrical Supply on sidewall at property line. **Action Taken:** There appears to be no violation of the building code for the location of the Air Conditioner Electrical supply.

--The Deck Dock still sits over the property line. **Action Taken:** The Storage Container on the Loading Dock will be removed and relocated off the dock. The dock does not have any noticeable structural defect and there is no evidence to support that the dock is located over the property line. A Survey Plan from a Registered Land Surveyor showing the encroachment would have to be presented to the Building Department in order for this complaint to be investigated.

--The property grade in their back yard still needs to be returned to its original pre-construction height. The original height is visible on the side of the building addition at our property lines--visible from my side of the property. **Action Taken:** I have reviewed the area in question and found no evidence of water being shed from the existing driveway. There is a bituminous concrete curb along the edge of the driveway that prevents any water from being shed on to the adjoining property. No further action needs to be taken.

If you have any further questions regarding my inspection of this complaint, please let me know. Signed by Kenneth R. Cimeno.” (Mr. Cimeno’s letter is on file in the Town Administrator’s Office.)

For the record, Mr. Dellolacono submitted the Commonwealth of Massachusetts, Secretary of the Commonwealth, Corporations Division, Articles of Organization relative to Centre Market of Dedham, Inc. The document listed the following officers/directors of the corporation: Ernest Caruso, President, Anthony J. Caruso, Treasurer and Carl Caruso, Treasurer. (Centre Market Articles of Organization can be found in the Town Administrator’s Office.)

At the conclusion of the Board's discussion, Mr. Dellolacono reminded all that the Board closed the Centre Market, Inc., Public Hearing at their meeting of April 28, 2011. He then asked the Board for a vote relative to the license request.

Mr. Butler made a motion to approve an All Alcoholic Common Victualler's License to Centre Market of Dedham, Inc., d/b/a Centre Deli, 545 High Street, Dedham, Massachusetts; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Butler, yes; Ms. MacDonald, yes; and Mr. Dellolacono, yes. (Mr. MacDonald did not participate in the discussion relative to this hearing. Mr. MacDonald did not vote on this matter.)

At the conclusion of the vote, Mr. Reynolds apologized to Mr. Caruso and Centre Market Group for the delay of the Board's vote and continuation of their April 28, 2011, Public Hearing. Mr. Reynolds commented that the Board reviews input and concerns submitted at the hearings and wanted to do their due diligence and look into Mr. Columbo's issues. Mr. Reynolds complimented the Caruso Family on their civic involvement and how much they have given back to the community--he was very appreciative. Mr. Reynolds congratulated the Caruso Family.

Mr. MacDonald informed Mr. Caruso and Mr. Cawley that the Liquor License has been approved by the Board of Selectmen (Local Licensing Authority); however, it will now be submitted to the Commonwealth of Massachusetts Alcoholic Beverages Control Commission for their approval.

MINI TOWN MEETING – DEDHAM SQUARE PROJECT PRESENTATION

Mr. Butler gave an updated presentation relative to the Dedham Square Project. Also present for the discussion were members of BETA Engineering and David Field, Town of Dedham Director of Engineering.

At the conclusion of the presentation, Mr. MacDonald informed all that the project is better today, better than a month, two, three, four months ago-- all involved reviewed suggestions/input and made changes where applicable. Mr. MacDonald went on to say that the Board heard the concerns, went back, reviewed and made changes to plan to create a safer environment.

Mr. MacDonald informed all that this affordable project will give the Town the ability to use its resources in the current budget, and therefore, will not need to go before the voters. He went on to say that the Board did not think it was the right time to go to the voters when the Town had the capacity to do the project within the budget.

Mr. MacDonald informed all that each Town Square had its own uniqueness and that the Dedham Square proposal was safer and attractive—he was hopeful that revitalization will bring businesses back to Dedham and also help with the survival of the present businesses operating in Dedham Square. Going forward, Mr. MacDonald commented that Town will not stop improving and continue to revitalize East Dedham Square, Oakdale Square and other business areas.

At this point of the presentation, Mr. Butler asked if the audience had questions/concerns.

Joe Dineen, District #3 Chairman, had concerns with angle parking in front of the Police Station and thought this section of the plan would cause problems going forward. He also had concerns with Right-hand turns at the intersection. Representatives from BETA Engineering informed him that the plan would not hinder Right-hand turns. Relative to the angle parking, BETA Representatives commented that there is similar angle parking on Washington Street and there have been no problems. A person in

the audience asked if there would be more parking in front of the Police Station with angle parking. BETA Representatives stated that the plan would add one more space.

Jim Sullivan, District #2 Chairman, asked if the plan included Cobblestone Brick. Beta Representatives responded, yes—Clay Brick Banding.

George Panagopoulos, Manager, Dedham House of Pizza, Washington Street—Mr. Panagopoulos informed all that people do a good job getting their vehicles out of the angle parking in front of his restaurant located on Washington Street—he did not think angle parking on High Street would be a problem. Mr. Panagopoulos asked about the plans relative to the bump out in front of Café Bagel/Pizza Shop located on Washington Street. Representatives from BETA Engineering informed him that the plans call for a Bike Rack, trees and additional landscaping in that location.

Michelle Labadini, District #5 Vice-Chairman—Ms. Labadini asked for more details relative to the Clay Brick Crosswalks. Ms Labadini was concerned that after some years, the setting might shift, be different and possibly become unbalanced. Representatives from BETA Engineering informed her that the plan meets all ADA Requirements. Additionally, the wear of the bricks depends on the nature of the setting. They informed her that this particular plan will have a concrete slab under brick base and, therefore, this procedure will hold everything in place.

Ladd Thorn, Pricinct # 1 Representative—Mr. Thorn asked the Board to consider expanded Traffic Analysis relative to the project. He was concerned with the increase in automobile traffic in Dedham Square and the reason Dedham Square has become a cut through. Mr. Thorn commented that the traffic going through Dedham Square has nothing to do with Dedham Square—it is just a short cut and convenient route to other locations. Mr. Thorn thought it was important to consider more Traffic Analysis before going forward. Mr. Butler informed Mr. Thorn that he did not have the answers to his questions this evening and went on to say that he could only provide surface analysis before Town Meeting. Mr. Ladd reminded all that when Town Meeting initially voted to support the project, it was with the understanding and assurance that the residents would participate in a detailed review. Mr. Ladd thought this was a good opportunity to further review the plans.

Bill Gorman, Precinct 4 Representative—Mr. Gorman asked if the Left Turn was off the table. BETA Representative informed him that it was their strong desire to keep the Left Turn; however, the design is flexible and can revert back if it doesn't work. Mr. Gorman asked Mr. Butler and BETA Representatives if they could show Left/No Left Turn on chicklet model presentation for Town Meeting. Mr. Butler informed him that they could show this information on their presentation this evening—BETA presented the traffic model to the audience.

Lisa LePratt, Precinct #7 Representative—Ms. LePratt asked if the Mail Box in the Town Parking Lot will remain. BETA Representatives informed her that the Mail Box will remain; however, it will be placed in a different location. The representatives went on to say that the Parking Plan changes the reconfiguration; therefore, with authorization from the Post Office, the Mail Box will be moved to a new location in the lot.

Bill Prist, Precinct # 1 Representative—Mr. Prist had concerns relative to the Post Office and Maple Street location.

Susan Fay, Precinct #4 Representative—Ms. Fay asked if the plan would allow Right Turns on Red in Dedham Square. She also asked if there would be Left Turn Lines. BETA Representative informed her that Right on Red Turns will be allowed; and yes, there will be Left Turns in both directions.

Robert Aldous, Planning Board Chairman/Resident—Mr. Aldous informed all that the Planning Board only reviewed the Town Parking Lot Plan and that his Board had no jurisdiction relative to the Traffic Plans and other parking in Dedham Square. He went on to say that the Planning Board did not vote on anything else—just the Town Parking Lot.

At this point of the conversation, Mr. Aldous took off his hat as Chairman of the Planning Board and spoke as a concerned resident of the Town. Mr. Aldous informed all that he has heard the Dedham Square Project at least 5 or 6 times; and every time he hears the presentation, he gets more nervous. Mr. Aldous commented that he has heard from some businesses in Dedham Square who were concerned with the construction. Business owners informed him that they were just coming back from the construction relative to the Washington Street Project. Mr. Aldous had concerns with spending the money now—he did not think money should be spent just because it is available. Mr. Aldous thought it might be better to spend this money to lower taxes or repair Town Buildings currently occupied, etc.

Mr. Aldous commented that he believed the project had smoke and mirrors—he had issues, most especially with the wall located at Eastern Avenue down to the bridge. It was Mr. Aldous' opinion that moving the wall back would create fewer parking spaces in the Town Parking Lot. Mr. Aldous commented that the wall was a hundred years old; and if left intact, it will last another hundred years.

Mr. MacDonald disagreed with Mr. Aldous. He stated that there are no smoke and mirrors. He went on to say that everything relative to the Dedham Square Project is out in the open and the project is needed. It was Mr. MacDonald's hope that all will see that the project is a betterment for the Town of Dedham. Mr. MacDonald asked everyone in the audience to call the Board of Selectmen of Town Administrator's Staff if they have questions or concerns.

At the conclusion of the presentation, Cheryl Schoenfeld, District # 7 Chairman, Chairman of Chairmen, thanked Mr. MacDonald and Mr. Butler for presenting this information to Town Meeting Members. Ms. Schoenfeld continued on with the Mini Town Meeting.

Mr. MacDonald asked for a motion to close the Board of Selectmen's Meeting. Ms. MacDonald made a motion to adjourn the meeting; seconded by Mr. Reynolds. **On the Vote:** Mr. Reynolds, yes; Ms. MacDonald, yes; Mr. Butler, yes; Mr. Dellolacono, yes; and Mr. MacDonald, yes.

The meeting adjourned at 8:25 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Board of Selectmen's Meeting held on May 2, 2011, which Minutes were approved on May 19, 2011.

James A. MacDonald, Chairman